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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,994	09/01/2000	Koichiro Maemura	2271/62975	6805
7590	12/28/2005		EXAMINER PARK, CHAN S	
Richard F Jaworski Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/653,994	Applicant(s) MAEMURA, KOICHIRO	
	Examiner CHAN S. PARK	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 10/14/05, and has been entered and made of record. Currently, **claims 1-44** are pending.

Response to Arguments

2. Upon review of the reference of Kida (U.S. Patent No. 5,293,253), which was cited in the Office Action dated 7/15/05 under 35 U.S.C. 102(b), as being anticipating claims 1-42, the examiner notes that the reference can still be interpreted as anticipating the claims, as currently amended.

Particularly, as amended, all independent claims now require "when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication." Kida teaches the method of checking whether the calling station is registered in the RAM 24 by extracting the received NSS(TSI) or the TSI signal (col. 10, lines 1-5). When it is confirmed that the calling station is not registered in the RAM 24, the line is disconnected and no facsimile receiving process is performed (col. 10, lines 12-16).

Moreover, after the facsimile is rejected, a report including a list of image information (date, time and caller in fig. 12) visibly outputted (col. 10, lines 25-29).

Therefore, Kida teaches/discloses the each and every limitation claimed in all independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Kida et al. U.S. Patent No. 5,293,253 (hereinafter Kida).

3. With respect to claim 17, Kida discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than communication partners previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68),

said facsimile device provided with a receipt-rejecting function comprising (fig. 11 & col. 10, lines 12-19):

a receipt-rejected communication control medium collecting the communication control information in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table, and storing said collected communication control information in

a receipt-rejected communication control information storage medium (col. 10, lines 20-35);

a communication control list creating medium creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (fig. 11 & col. 10, lines 25-29); and

a list outputting medium visibly outputting said list of image information created by said communication control list creating medium (fig. 11 & col. 10, lines 25-29),

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (V6 & V7 in fig. 11).

It should be noted that the receipt-rejected communication control information storage medium is an inherent feature since either a temporary or permanent memory is required for the both printing and display.

4. With respect to claim 18, Kida teaches a method of controlling a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68),

said method of controlling the facsimile device provided with a receipt-rejecting function comprising the steps of (fig. 11 & col. 10, lines 12-19):

collecting communication control information in connection with the communication relating to message arrival from a communication partner not registered in said receipt-allowed communication partner registering table (col. 10, lines 20-35);

storing said collected communication control information in a receipt-rejected communication control information storage medium (col. 10, lines 20-35);

creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (fig. 11 & col. 10, lines 25-29); and

visibly outputting said created list of image information (fig. 11 & col. 10, lines 25-29).

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (V6 & V7 in fig. 11).

It should be noted that the receipt-rejected communication control information storage medium is an inherent feature since either a temporary or permanent memory is required for the both printing and display.

5. With respect to claim 19, Kida discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68),

wherein said facsimile device provided with a receipt-rejecting function comprising:

a normal communication control medium collecting communication control information in connection with the communication relating to a message receipt from the communication partner registered in a transmission-allowed communication partner registering table or in said receipt-allowed communication partner registering table and storing said collected communication control information in said normal communication control information storage medium (fig. 11).

With respect to the rest of limitations in claim 19, arguments analogous to those presented for claims 17 and 18, are applicable.

6. With respect to claim 20, arguments analogous to those presented for claims 17-19, are applicable.

7. With respect to claim 21, Kida discloses the facsimile device provided with a receipt-rejecting function as defined in claim 17,

wherein the communication control information collected by said receipt-rejected communication control medium and stored in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (fig. 12).

8. With respect to claim 22, arguments analogous to those presented for claim 21, are applicable.

9. With respect to claim 23, arguments analogous to those presented for claim 21, are applicable.

10. With respect to claim 24, arguments analogous to those presented for claim 21, are applicable.

11. With respect to claim 25, Kida teaches the method of controlling the facsimile device provided with a receipt-rejecting function as defined in claim 18,

wherein the communication control information memorized in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (fig. 12).

12. With respect to claim 26, arguments analogous to those presented for claims 21 and 25, are applicable.

13. With respect to claim 27, Kida discloses the facsimile device provided with a receipt-rejecting functions as defined in claim 17,

wherein said facsimile device further comprises a time counting medium for counting the present date and time; and

wherein the communication control information collected by said receipt-rejected communication control medium and storing in said receipt-rejected communication control information memorizing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-

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allowed communication partner registering table includes the date-and-time information read out from said time counting medium at the time of the message arrival (fig. 12).

Since it prints out the date and time of the transmission, it is inherent that the device has a clock for counting the present date and time.

14. With respect to claim 28, arguments analogous to those presented for claim 27, are applicable.

15. With respect to claim 29, arguments analogous to those presented for claim 27, are applicable.

16. With respect to claim 30, arguments analogous to those presented for claim 27, are applicable.

17. With respect to claim 31, arguments analogous to those presented for claim 27, are applicable.

18. With respect to claim 32, arguments analogous to those presented for claim 27, are applicable.

19. With respect to claim 33, arguments analogous to those presented for claim 27, are applicable.

20. With respect to claim 34, arguments analogous to those presented for claim 27, are applicable.

21. With respect to claims 35-38, arguments analogous to those presented for claim 27, are applicable.

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22. With respect to claim 39, arguments analogous to those presented for claim 17, are applicable.

23. With respect to claim 40, arguments analogous to those presented for claim 20, are applicable.

24. With respect to claim 41, arguments analogous to those presented for claim 18, are applicable.

25. With respect to claim 42, arguments analogous to those presented for claim 19, are applicable.

26. With respect to claim 1, arguments analogous to those presented for claim 17, are applicable.

27. With respect to claim 2, arguments analogous to those presented for claim 18, are applicable.

28. With respect to claim 3, arguments analogous to those presented for claim 19, are applicable.

29. With respect to claim 4, arguments analogous to those presented for claim 20, are applicable.

30. With respect to claims 5-16, arguments analogous to those presented for claim 27, are applicable.

31. With respect to claim 43, arguments analogous to those presented for claim 17, are applicable.

Applicant's arguments with respect to claim 44 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kida in view of Oba et al. U.S. Patent No. 6,072,599 (hereinafter Oba).

32. With respect to claim 44, Kida discloses the communication terminal device of claim 1, wherein the operator is informed of the list of the stations that have been rejected (fig. 12). However, Kida does not disclose explicitly whether the outputted list includes communication control information for a plurality of communications.

Oba, on the other hand, discloses a function of collecting and storing a communication control information in an error and/or status communication information storage medium (communication history memory 41), a function of creating a list of image information for a plurality of communications on the basis of the communication control information storage medium, and a function of outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Kida and Oba are analogous art because they are from the same field of endeavor that is the facsimile art.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to include the communication information for a plurality of communications in the receipt-rejected report of Kida.

The suggestion/motivation for doing so would have been to print/view a plurality of communication status at once.

Therefore, it would have been obvious to combine Kida with Oba to obtain the invention as specified in claim 44.

Conclusion

33. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
December 22, 2005

Chan S. Park
Examiner
Art Unit 2622


EDWARD COLES
SUPERVISORY PATENT EXAMINER
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